

REMARKS

Claims 1 and 4-13 have been amended and claim 14 canceled. Claims 1-13 are pending in the application, of which claims 1 and 8 are independent. The Examiner is respectfully requested to reconsider and withdraw the non-final rejections in view of the amendments and remarks contained herein.

I. Allowed Claims

Claims 8-13 are allowed. (Office Action, page 3). Applicant thanks the Examiner for passing the claims to allowance.

II. Claim Objections

The Examiner states that claims 5-15 are misnumbered. (Office Action, page 2). Applicant has renumbered claims 5-15 to claims 4-14.

The Examiner also states that claim 14 is in improper form. (Office Action, page 2). Applicant has canceled claim 14.

In view of the above, Applicant respectfully submits that all of the claim objections have been overcome. Therefore, Applicant respectfully requests withdrawal of the above claim objections.

III. Claim Rejections under 35 U.S.C. §103

The Examiner states that claims 1-7 are rejected under 35 U.S.C §103(a) as being unpatentable over US 6,355,055 to Walsman et al. (hereinafter “Walsman”) in view of US 5,061,271 to Tu et al. (hereinafter “Tu”). (Office Action, page 3). Applicant traverses the rejection.

Claim 1

Claim 1 has been amended to add the features that the biodegradable polymer-supporting layer is porous and the porous space of the biodegradable polymer-supporting layer is artificially formed by using porogen, and that a drug is stored in at least the microporous space of the non-degradable artificial blood vessel layer and the porous space of the biodegradable polymer-supporting layer, and the drug is degraded from the non-degradable artificial blood vessel layer and the biodegradable polymer-supporting layer with the passage of time to generate new vascular tissues. Support for the amendment can be found throughout the instant application, for example in Figure 1 and corresponding descriptions. No new matter has been introduced.

Applicant respectfully submits that the combination of Walsman and Tu does not teach or suggest that (1) *the porous space of the biodegradable polymer-supporting layer is artificially formed by using porogen*, (2) the drug is stored in *the microporous space of the non-degradable artificial blood vessel layer as well as the porous space of the biodegradable polymer-supporting layer* and (3) *the drug is degraded from the non-degradable artificial blood vessel layer as well as the biodegradable polymer-supporting layer with the passage of time to generate new vascular tissues*, as recited in claim 1.

Walsman describes an endovascular support device adapted for local delivery of a therapeutic agent. (Walsman, abstract). Walsman describes that at least one therapeutic agent is disposed on a portion of the support device. (Walsman, abstract). Walsman, however, does not teach or suggest using porogen in order to make the non-degradable artificial blood vessel porous. Walsman does not teach or suggest storing the drug in the microporous space of the non-degradable artificial blood vessel layer.

Tu describes a tool for separating the two components of a modular joint prosthesis intended for implantation in a body. Tu also describes that the prosthesis includes a component adapted to be fixed to a long bone having an intramedullary canal and further includes an elongated male stem having a uniformly tapered outer surface. Tu, however, does not teach or suggest using porogen in order to make the non-degradable artificial blood vessel porous. Tu

does not teach or suggest storing the drug into *the microporous space of the non-degradable artificial blood vessel layer.*

In view of the above, Applicant respectfully submits that the combination of Walsman and Tu does not teach or suggest all of the features of claim 1. Therefore, Applicant respectfully requests withdrawal of the above rejection of claim 1.

Claim 2-7

Claims 2-7 depend from claim 1 and, as such incorporate the features of claim 1. For at least the reasons set forth above, Applicant respectfully requests withdrawal of the above rejection of claims 2-7.

IV. Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraws all presently outstanding rejections.

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (617) 227-7400.

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Respectfully submitted,

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